

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

I&CAD DEPARTMENT – Work Charged Establishment – NMR workers of erstwhile Andhra Pradesh State Construction Corporation Limited – Conversion of 56 NMR workers of Irrigation Department into Work Charged Establishment in terms of G.O.Ms.No.143, Irrigation Department, dated 16.03.1984 – Orders – Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (SER.V.3) DEPARTMENT

G.O.Ms.No 87.

Dated: 10-06-2009
Read the following:-

1. G.O.Ms.No.143, Irrigation Department, dated 16.03.1984.
2. G.O.Ms.No.56, I&CAD (PW-Estt-1) Department, dated 28.02.1989.
3. G.O.Ms.No.114, I&CAD (PW-Estt-1) Department, dated 13.02.1990.
4. G.O.Ms.No.88, I&CAD (PW-Estt-1) Department, dated 26.03.1993.
5. Government Memo No.32068/Estt.1/93-3, I&CAD (PW) Department, dated 07.01.1994.
6. From the President, AP State Work Charged & NMR Employees United Federation, Hyderabad dated 16.04.2008 and 19.08.2008.
7. From the Engineer-in-Chief (IW), I&CAD Department, Letter No.ENC/IW/P&M/EE.III/W2/1937/2008, dated 20.11.2008.

ORDER:

In the reference first read above, orders have been issued to convert the NMR workers into Work Charged Establishment on certain conditions among other conditions that the NMR workers who have completed 5 years of service from the date of their first appointment excluding breaks in service will be eligible for conversion into Work Charged Establishment subject to the condition that the breaks in service in any or all spell not exceed six months.

2. In the reference second read above, orders were issued that the orders issued in reference first read above were made applicable to NMR workers of APSCC Ltd.

3. In the reference third read above, Government have accorded sanction to create 75 supernumerary posts of workmen in Irrigation Department so as to reinstate the 75 workmen of erstwhile APSCC Ltd as per Hon'ble High Court orders dated 26.04.1988 in WP.No.4632/85 read with the direction of the Hon'ble Supreme Court of India dated 29.10.85 in Civil Appeal No.4908/85 in SLP No.1131/85 and WP.No's.6081/83, 7051-7487A/83 on daily rates of wages with effect from the dates from which the petitioners report for duty till they are brought on to the monthly scales of pay on regularization. The above NMR workers joined in the department accordingly.

4. In the reference fourth read above, the Work Charged Employees of the APSCC Ltd working in Government Departments / Corporations against supernumerary posts / on deputation were retained and absorbed in the respective Government Departments / Corporations as on 01.06.1991 subject to among other conditions that the employees of erstwhile APSCC Ltd though deemed to have been absorbed w.e.f. 01.04.1991, they are given the benefit of continuity of service rendered in the APSCC Ltd as qualifying service for the purpose of retirement and all other service benefits except for promotion and the rules of work charged establishment as applicable to the Department are applicable to erstwhile APSCC Ltd. work charged employees also.

5. In the reference fifth read above, orders were issued that the 75 NMR workers who were reinstated in the reference third read above in pursuance of the orders of the Hon'ble High Court in WP.No.4632/85, dated 26.04.1988 were also covered in the orders issued in reference fourth read above as per the conditions laid down in reference third read above.

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6. In the reference sixth read above, the President of AP State Work Charged & NMR Employees United Federation, Hyderabad has stated that they worked as NMR workers in A.P.S.C.C. Ltd. for the period from 04.11.1978 to 31.07.1979 (worked continuously without any break). They were retrenched during 1979 illegally. These NMRs worked in the corporation for a period of nearly 3 years and their juniors were continued in service. These workers were reinstated into Government Irrigation Projects in A.P. and posted in different distant places in A.P. and working as NMRs on daily rated wages in the supernumerary posts created in G.O.Ms.No.114, I&C.A.D Department, dated 13.02.1990 and working till to date. He has also stated that the defunct A.P.S.C.C. Ltd. workers have been absorbed in Irrigation Department along with these 75 workers were converted as Work Charged Employees. But, these 75 NMRs of A.P.S.C.C. Ltd. were not converted as Work Charged employee till to date. These 75 NMRs of A.P.S.C.C. Ltd. are eligible for regularization of their services. He has requested the Government that these 75 NMRs of erstwhile A.P.S.C.C. Ltd., may be considered for regularization of their services into Work Charged Establishment Employees as per G.O.Ms.No.143, Dated 16.03.1984 keeping in view of the G.O.Ms.No.56, Dated 28.02.89, G.O.Ms.No.88, I&CAD Department Dated 26.03.93 and Govt. Memo. No.32068/Estt.I/95-3, Dated 01.04.91.

7. In the reference seventh read above, the Engineer-in-Chief (IW), Irrigation & CAD Department while reiterating the orders of A.P.S.S.C.C. Ltd. in his letter dated 30.07.1981 and the contents of the representation of the President, A.P. Work Charged and NMR Employees Federation has stated that the service particulars of 56 NMR workers out of 75 workers working in various circles have been obtained from the concerned Chief Engineer / Circles and the services particulars of 19 NMR workers out of 75 NMR workers are not available as their whereabouts are not known. The above 56 NMR workers have joined in the department as per G.O.Ms.No.114, I&CAD Department Dated 13-2-1990. These 56 NMR workers of A.P.S.C.C. Ltd. who are working in various circles, are eligible for regularization of their services on completion 5 years of service taking into account of their joining in the department including the period from 1976 to 31.07.1979 worked in Srisailem Project with continuity service in terms of G.O.Ms.No.143, Dated 16.03.84 made applicable in G.O.Ms.No.56, I&CAD Department, Dated 28.02.1989.

8. After careful examination of the matter, the Government hereby direct the Engineer-in-Chief (IW), I&CAD Department, to convert the 56 NMR workers of erstwhile APSCC Ltd working in Irrigation department into Work Charged Establishment in terms of G.O.Ms.No.143, Irrigation Department, dated 16.03.1984 notionally i.e. from the date of their joining in the department in the supernumerary posts created in G.O.Ms.No.114, I&CAD (PW-Estt-1) Department, dated 13.02.1990 as per their educational qualifications.

9. The Engineer-in-Chief (IW), I&CAD Department is requested to take further necessary action in the matter immediately.

10. This order issues with the concurrence of Finance (PC.III) Department vide their U.O. No.4952-B/100/A1/PC-III/09, dated 26.02.2009

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Engineer-in-Chief (IW), I&CAD Department,
Jalasoudha Building, Erramanzil, Hyderabad.
Copy to the President, AP State Work Charged &
NMR Employees United Federation, Hyderabad
Sf/Sc.

// :: FORWARDED :: BY ORDER :: //

SECTION OFFICER